IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of:
        Darrington et al.

Serial No.:   10/600,317

Filed: 6/20/03

For: UNIVERSAL ANNOTATION
        CONFIGURATION AND
        DEPLOYMENT

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Confirmation No.:   9777

Group Art Unit: 2166

Examiner: Shew Fen Lin

MAIL STOP APPEAL BRIEF - PATENTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Appeal Brief - Patents, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office to fax number 571-273-8300, or electronically via EFS-Web, to the attention of Examiner Shew Fen Lin, on the date shown below:
July 23, 2007 _____   /Randol W. Read, Reg. No. 43,876/
Date   Randol W. Read

Dear Sir:

REVISED APPEAL BRIEF IN RESPONSE TO NOTIFICATION OF NON-COMPLIANT
APPEAL BRIEF DATED JUNE 21, 2007

Applicants submit this Substitute Appeal Brief to the Board of Patent Appeals and Interferences in response to the Notification of Non-Compliant Appeal Brief dated June 21, 2007 in the Appeal of the above-identified application.

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Real Party in Interest

The present application has been assigned to International Business Machines Corporation, Armonk, New York.

Related Appeals and Interferences

Applicant asserts that no other appeals or interferences are known to the Applicant, the Applicant's legal representative or assignee which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

Status of Claims

Claims 1-26 are pending in the application. Claims 1-26 were originally presented in the application. Claims 1-6, 8, 16-19 and 23 have been canceled without prejudice. Claims 7, 9-15, 20-22 and 24-26 stand finally rejected as discussed below. The final rejections of claims 7, 9-15, 20-22 and 24-26 are appealed. The pending claims are shown in the attached Claims Appendix.

Status of Amendments

All claim amendments have been entered by the Examiner, including amendments to the claims proposed after the final rejection.

Summary of Claimed Subject Matter

Claimed embodiments of the invention provide for methods, systems, and articles of manufacture that may be used for universal (*e.g.*, cross-platform) management of annotations made for a variety of different type data objects manipulated (*e.g.*, created, edited, and viewed) by a variety of different type applications. (*see,* Paragraph [0031]).

A.   CLAIM 7 – INDEPENDENT

Claim 7 is directed to a method for exchanging information between entities on a network (*see, e.g.,* Figure 2; paragraphs [0041]-[0043]). The method includes installing an annotation management system on the network (*see,* Figure 1; paragraph [0036] and Figure 2; paragraph [0041]), identifying a plurality of annotatable data objects manipulated by a plurality of applications on the network (*see* paragraph [0037] and Figure 3A; paragraphs [0057]-[0058]), and providing a set of one or more configuration tools allowing a user to define an annotation structure containing one or more annotation fields and associate the annotation structure with at least one of the annotatable data objects (*see* Figure 4D; paragraphs [0087]-[0090]), wherein the configuration tools further allow a user to define roles and associate annotation structures with combinations of roles and annotatable data objects (*see* Figure 3A; paragraph [0069]).

B.   CLAIM 20 - INDEPENDENT

Claim 20 is directed to a system for managing annotations for one or more different type data sources manipulated by a plurality of different type applications (*see* Figure 3A; paragraph [0053]). The system generally includes an annotation database for storing annotations separately from the data sources associated with the annotations (Figure 1 – item 130; paragraph [0037]), a set of annotatable data object points defining portions of the data sources associated with the annotations described by the associated annotations (*see,* Figure 3A –item 13; paragraph [0057]), an annotation server (*see* Figure 2 – item 140; paragraph [0041]), and a set of one or more

configuration tools(see Figure 2 –item 144; Figure 3 item 144; paragraphs [0052] and [0068]). The annotation server is generally configured to receive requests to access annotations for one or more of the annotatable data object points issued by the one or more of the applications running on the client computer and generate a graphical user interface screen, based on an annotation structure associated with the one or more of the annotatable data object points, for creating or viewing annotations for the one or more annotatable data object points (*see* Figure 6B; paragraphs [0103]-[0106]). The configuration tools allow a user to define annotation structures and associate annotation structures with one or more of the annotatable data object points (*see* Figure 4D; paragraph [0068]), wherein the configuration tools allow users to associate one or more annotation structures with at least one of: one or more combinations of annotatable data object points and roles; or one or more combinations of annotatable data object points and users (*see* paragraph [0014-0015]).

Grounds of Rejection to be Reviewed on Appeal

1.   Rejection of claims 7, 12-15, 20-21 and 24-26 under 35 U.S.C. 102(e) as being anticipated by *Bargeron et al.* (US Pub 2004/0205545, hereinafter "*Bargeron*").

2.   Rejection of claims 9-11 and 22 under 35 U.S.C. 103(a) as being obvious over *Bargeron* as applied to claim 7 above, and further in view of *Tada et al.* (US Patent 6,490,583, hereinafter "*Tada*").

ARGUMENTS

A. Anticipation of claims 7, 12-15, 20-21 and 24-26 over *Bargeron et al.*

Claims 7, 12-15, 20-21 and 24-26 are rejected under 35 U.S.C. 102(e) as being anticipated by *Bargeron*. Applicants respectfully traverse this rejection.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Further, the elements must be arranged as required by the claim. *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).

In this case, *Bargeron* does not disclose "each and every element as set forth in the claim." For example, *Bargeron* does not disclose "configuration tools allowing a user to define an annotation structure containing one or more annotation fields and associate the annotation structure with at least one of the annotatable data objects, *wherein the configuration tools further allow a user to define roles and associate annotation structures with combinations of roles and annotatable data objects*" as recited in claim 7.

During prosecution, claim 7 was amended to include the limitation of now canceled claim 8, reciting "wherein the configuration tools further allow a user to define roles and associate annotation structures with combinations of roles and annotatable data objects." In addressing previous claim 8, this feature is taught in paragraph [0056] of *Bargeron*, which states:

> [0056] A set element allows annotations to be grouped together, such as for organization purposes, access control purposes, etc. FIG. 7 is a block diagram illustrating an exemplary schema structure for a set element. A set element 250 includes an ID field 252, a name field 254, an optional parents fields 256, a children field 258, a create date field 260, and an

optional property field 262. ID field 252 contains data that uniquely identifies the set (either globally (such as a GUID) or locally (such as uniquely identifying the set within the annotation that the set element is part of)), and name field 254 contains data identifying a more user-friendly name for the set. Create date field 260 contains data that indicates when the annotation set was created. Annotations can be organized hierarchically, with each annotation being a member of zero or more sets and each set including one or more annotations. Additionally, sets can have other sets as members.

The cited section simply discusses how annotations (not annotation structures) in *Bargeron* may be grouped for organization purposes or for access control purposes. However, nowhere in the cited section or anywhere else in *Bargeron* are configuration tools discussed, much less configuration tools which "allow a user to define roles and associate annotation structures with combinations of roles and annotatable data objects" as recited in claim 7. Claim 20 has similar limitations, providing that a set of configuration tools allows a user to associate one or more annotation structures with a combination of annotatable data object points and users/roles.

As described in the specification of the present application, a configuration tool which allows "a user to define roles and associate annotation structures with combinations of roles and annotatable data objects" may be, for example, a GUI allowing a user to specify user roles and access to annotation structures based on the user roles. Examples of configuration tools which allow a user to define roles and associate annotation structures with combinations of roles and annotatable data objects can be seen in Figures 5A and 5F of the specification. Figure 5A illustrates a GUI panel 530 which allows a user to add new roles. Furthermore, Figure 5F illustrates a GUI panel 560 which "may allow a user to specify an authority…that one or more users or roles 564 has with respect to a list of corresponding fields or annotation field groups 562."

By allowing a user to associate an annotation structure with a combination of a user roles and data objects, the annotation structures presented to a user of an annotation system may vary based on the role of the user and the data object the user may be trying to annotate. For example, by associating an annotation structure with

combinations of a particular role (*e.g.*, manager or non-manager) and with a particular data object (*e.g.*, a spreadsheet), a manager may see a first annotation structure when annotating a particular data object, while a non-manager may not see the same annotation structure.

In contrast, *Bargeron* only recites "a set element allows annotations to be grouped together, such as for organization purposes, access control purposes." (*Bargeron*, Paragraph [0056], Lines 1-3). Nowhere in the paragraph of *Bargeron* cited by the Examiner or anywhere else in *Bargeron* are configuration tools taught which "allow a user to define roles and associate annotation structures with combinations of roles and annotatable data objects."

Applicants now refer to the Examiner's remarks in the Advisory Action dated August 11, 2006, wherein the examiner states that a set is a group of annotation structures because *Bargeron* discloses that the Common Annotation Framework may be designed to include one or more additional elements or fields and such additional elements or fields are composite anchors or sets (*see Advisory Action* dated August 11, 2006, pg. 2). Applicants respectfully submit that the Examiner has misconstrued *Bargeron*.

Bargeron teaches grouping annotations into a set (*Bargeron*, Paragraph [0056], Lines 1-3). Additionally grouping sets is merely grouping additional annotations and not a configuration tool which allows a user to define roles and associate annotation structures with combinations of roles and annotatable data objects, as recited in independent claim 7.

Additionally the Examiner states that *Bargeron* discloses an object manager that allows a client application to create objects (*see Advisory Action* dated August 11, 2006, pg. 2). *Bargeron* discloses that an object manager may create, save, remove, search, navigate and write to annotations (*see Bargeron*, Paragraphs [0077]-[0085]; Table XVI-XXI). However, Applicants submit that the object manager does not contain configuration tools which "allow a user to define roles and associate annotation

structures with combinations of roles and annotatable data objects," as recited in the claims.

Applicants respectfully submit, for the previously stated reasons, independent claims 7 and 20, as well as their dependents, are believed to be allowable, and withdrawal of this rejection is respectfully requested.

B.   Obviousness of Claims 9-11 and 22 over *Bargeron* in view of *Tada et al.*

Claims 9-11, and 22 are rejected under 35 U.S.C 103(a) as being obvious over *Bargeron* as applied to claim 7 above, and further in view of *Tada*.

Claims 9-11 and 22 depend from claims 7 and 20, respectively, which are believed to be allowable for reasons discussed above. Therefore, these claims are also believed to be allowable and withdrawal of this rejection is respectfully requested.

CONCLUSION

The Examiner errs in rejecting claims 7, 12-15, 20-21 and 24-26 under 35 U.S.C. 102(e) as being anticipated by *Bargeron*. The Examiner also errs in rejecting claims 9-11 and 22 under 35 U.S.C. 103(a) as being obvious over *Bargeron* in view of *Tada*. Withdrawal of these rejections and allowance of all claims is respectfully requested.

Respectfully submitted, and

/Randol W. Read, Reg. No. 43,876/
Randol W. Read
Registration No. 43,876
Patterson & Sheridan, L.L.P.
3040 Post Oak Blvd. Suite 1500
Houston, TX 77056
Telephone: (713) 623-4844
Facsimile: (713) 623-4846
Attorney for Appellants

CLAIMS APPENDIX

1-6.   (Canceled)

7.   (Previously Presented)   A method for exchanging information between entities on a network comprising:

installing an annotation management system on the network;

identifying a plurality of annotatable data objects manipulated by a plurality of applications on the network; and

providing a set of one or more configuration tools allowing a user to define an annotation structure containing one or more annotation fields and associate the annotation structure with at least one of the annotatable data objects, wherein the configuration tools further allow a user to define roles and associate annotation structures with combinations of roles and annotatable data objects.

8.   (Canceled)

9.   (Original)   The method of claim 8, wherein the configuration tools provide one or more graphical user interface screens for associating one or more roles with a user.

10.   (Original)   The method of claim 8, wherein the configuration tools provide one or more graphical user interface screens for associating one or more users with a role.

11.   (Original)   The method of claim 7, wherein the configuration tools allow a user to specify one or more filters specifying how annotation fields contained in an annotation structure can be manipulated based on user roles.

12.   (Original)   The method of claim 7, wherein the configuration tools:
allow a users to specify one or more annotation field groups; and
allow annotation field groups to be added to annotation structures.

13.   (Original)   The method of claim 7, wherein the configuration tools allow a user to associate one or more transforms with an annotation structure, the transforms for use in converting the annotation structure into a graphical user interface.

14.   (Original)   The method of claim 7, wherein the configuration tools allow a user to associate an annotation structure with annotatable data objects associated with more than one data source.

15.   (Original)   The method of claim 7, wherein the configuration tools allows annotatable sub-objects of data objects to be associated with annotation structures.

16-19. (Canceled)

20.   (Previously Presented)   A system for managing annotations for one or more different type data sources manipulated by a plurality of different type applications, comprising:

    an annotation database for storing annotations separately from the data sources associated with the annotations;

    a set of annotatable data object points defining portions of the data sources associated with the annotations described by the associated annotations;

    an annotation server configured to receive requests to access annotations for one or more of the annotatable data object points issued by the one or more of the applications running on the client computer and generate a graphical user interface screen, based on an annotation structure associated with the one or more of the annotatable data object points, for creating or viewing annotations for the one or more annotatable data object points; and

    one or more configuration tools allowing a user to define annotation structures and associate annotation structures with one or more of the annotatable data object points, wherein the configuration tools allow users to associate one or more annotation structures with at least one of:

    one or more combinations of annotatable data object points and roles; or

    one or more combinations of annotatable data object points and users.

21.   (Original)   The system of claim 20, wherein the configuration tools allow users to associate a single annotation structure with annotatable data object points associated with more than one data source.

22.   (Original)   The system of claim 20, wherein the configuration tools allow users to associate one or more roles with one or more users.

23.   (Canceled)

24.   (Original)   The system of claim 20, wherein the configuration tools allow users to associate one or more transforms with one or more annotation structures, each transform for use in generating a graphical user interface based on an associated annotation structure.

25.   (Original)   The system of claim 20, further comprising a plurality of configuration files and wherein the configure tools allow a user to navigate and modify one or more of the configuration files.

26.   (Original)   The system of claim 25, wherein the configuration files are extensible markup language (XML) files.

EVIDENCE APPENDIX

None.

RELATED PROCEEDINGS APPENDIX

None.